

CLERK
U.S. BANKRUPTCY
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:) Case No. 19-23883 GLT
Richard Potts) Chapter 13
Debtor) Related to Dkt. No. 51
Richard Potts)
Movant)
vs.)
Ronda J. Winnecur, Esq., Trustee,)
Respondents)

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the *CONSENT ORDER OF THE DEBTOR FOR POSTPETITION FINANCING* filed by Debtors. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Consent Order* is **GRANTED** as provided by the terms of this *Order*. Debtor is authorized to obtain secured financing for the purchase or lease of a replacement vehicle on the following terms:

- (a) the total amount of financing **shall not exceed \$25,000.00**; and
- (b) the monthly payments made under the financing agreement **shall not exceed \$500.00**; and
- (c) the interest rate **shall not exceed 21%**

2. To the extent that Debtor secures financing for the purchase or lease of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:

- (a) an amended chapter 13 plan; and
- (b) a report of financing which will include the details of the automobile financing.

3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Pending confirmation of any amended plan providing for the new post-petition loan or lease payments, the trustee is authorized to make monthly adequate protection payments to a lender that will be

determined at the time of vehicle financing. A consent order providing for adequate protection payments for the new vehicle will be filed within 7 days of vehicle financing providing for the contract amount so long as sufficient supplemental funds are provided by Debtor.

5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the post-petition vehicle lender.

6. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Kenneth Steidl, Esquire

DATED: June 9, 2021

Case Administrator to Mail to:

Richard Potts
Kenneth Steidl, Esquire
Ronda J. Winnecur, Esq.
Office of the U.S. Trustee



GREGORY J. TADDONIO **jah**
UNITED STATES BANKRUPTCY JUDGE

Consented to:

/s/ Kate DeSimone
Kate DeSimone, Esquire
Office of the Chapter 13 Trustee

/s/ Kenneth Steidl
Kenneth Steidl, Esquire
Attorney for the Debtors

In re:
Richard A. Potts
Debtor

Case No. 19-23883-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: aala

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Date Rcvd: Jun 09, 2021

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 11, 2021:

Recip ID	Recipient Name and Address
db	+ Richard A. Potts, 4020 Noblestown Road, Oakdale, PA 15071-1291

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 11, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 9, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FREEDOM MORTGAGE CORPORATION bnicholas@kmllawgroup.com
Jerome B. Blank	on behalf of Creditor FREEDOM MORTGAGE CORPORATION pawb@fedphe.com
Kenneth Steidl	on behalf of Debtor Richard A. Potts julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Mario J. Hanyon	on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbefc@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov

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User: aala

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Total Noticed: 1

Ronda J. Winnecour

cmeclf@chapter13trusteewdpa.com

Thomas Song

on behalf of Creditor FREEDOM MORTGAGE CORPORATION pawb@fedphe.com

TOTAL: 7